



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: John H. Burton et al.

Title: IMPLANTABLE DEVICE AND METHOD FOR ADJUSTABLY RESTRICTING A BODY LUMEN

Docket No.: 825.001US2

Serial No.: 09/477,977

Filed: January 5, 2000

Due Date: February 29, 2008

Examiner: Lee S Cohen

Group Art Unit: 3739

Customer No.: 21186

Confirmation No.: 1025

Commissioner for Patents

**Notice of Allowance Date:**

Attn: MAIL STOP ISSUE FEE

November 30, 2007

P.O. Box 1450

Alexandria, VA 22313-1450

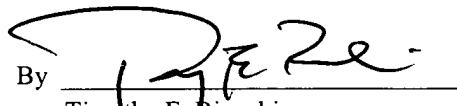
We are transmitting herewith the attached:

- A check in the amount of \$20.00 to cover the Small Entity Issue Fee Payment.
- Issue Fee Transmittal (Form PTOL-85).
- Request to Apply Previously Paid Issue Fee (1 pg.)
- A Copy of the Decision Granting Petition to Withdraw from Issue. (1 pg.)
- A return postcard.

**Please charge any additional required fees for the Issue Fee Payment or credit overpayment to Deposit Account No. 19-0743.**

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.

Customer Number: 21186

By   
Timothy E. Bianchi  
Reg. No. 39,610  
TEB:CMG:csw

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Attn – MAIL STOP ISSUE FEE, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28 day of February, 2008.

Carol S. White  
Name

Carol S. White  
Signature

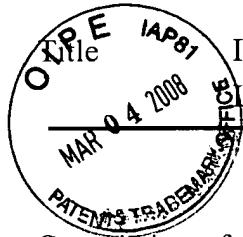
S/N 09/477,977

PATENT

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IMPLANTABLE DEVICE AND METHOD FOR ADJUSTABLY RESTRICTING A BODY  
COLUMEN

REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE

Commissioner for Patents

ATTN: MAIL STOP ISSUE FEE  
P.O. Box 1450  
Alexandria, VA 22313-1450

An issue fee for the above-identified application was previously paid on 12/21/2006. A petition under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee was previously filed on 01/11/2007. Applicant received a decision, dated 01/17/2007, granting the petition to withdraw.

Applicant respectfully requests that the above-identified previously-paid issue fee be applied towards the fee required by the new Notice of Allowance dated 11/30/2007. The present issue fee has increased from the previously-paid issue fee. Transmitted herewith is a check in the amount of \$20.00 to cover the issue fee increase. Applicant also paid for 10 extra Patent Copies along with the previous Issue Fee payment.

**Please charge any additional required fees for the Issued Fee Payment or credit overpayment to Deposit Account No. 19-0743.**

This request is being submitted with the new Issue Fee Transmittal Form PTOL-85, along with a copy of the above-identified decision granting the petition to withdraw.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6965

Date

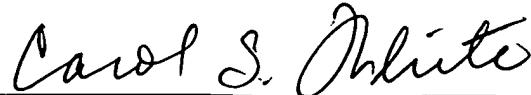
Feb. 27, 2008

By

  
Timothy E. Bianchi  
Reg. No. 39,610  
TEB:CMG:csw

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Attn - MAIL STOP ISSUE FEE, P.O.Box 1450, Alexandria, VA 22313-1450, on this 28 day of February, 2008.

Carol S. White  
Name

  
Signature